

United States District Court
for the District of New Jersey

Mark Elliott, A.K.A.,
Marc Bourne; Pro-Se
Plaintiff,

Civil Action No.: 12-4775 (SRC)

v.
Joseph Perfillio J.S.C.
Judge Heimlich J.S.C.
William A. Daniel J.S.C.,
Union County Superior Court
Criminal Case Management, *Et al.*
New Jersey Department of Corrections
Northern State Prison; Classification
Department, Jane Does 1 thru 12 and
John Does 1 thru 12 *Et al.*

*Defendant(s),
Official and Unofficial Capacity*

Civil Action

Civil Complaint
U.S.C. 28-1983 and 1988
New Jersey Civil Rights Act
N.J.S.A. 10:6-1,-2

Plaintiff, Mark Elliott is presently confined at the Kintock 3 (Bldg #1)
Community Release, Halfway House and Treatment Center, Essex County, Newark, New
Jersey 07114.

First Count-14th Amendment Due Process of Law and Equal Protection

1. Plaintiff, Mark Elliott is presently confined at the Kintock 3 (Bldg #1)
Community Release, Halfway House and Treatment Center, Essex County, Newark, New
Jersey 07114.
2. Defendant(s) William A. Daniel J.S.C., Joseph Perfillio J.S.C., Judge Heimlich
J.S.C. Criminal Case Management John Does 1 thru 5 and Jane Does 1 thru 5 is

employed at the Union County Superior Court Criminal Division located at 2 Broad Street, Elizabeth, New Jersey 07207. New Jersey Department of Corrections; Northern State Prison Classification Department Jane Does 1 thru 12 and John Does 1 thru 12 is employed by the Northern State Prison located at 168 Frontage Road- P.O. Box 2300, Newark New Jersey 07114

3. Venue is proper in the United States District Court for the District of New Jersey *inasmuch* as plaintiff was domicile therein at the time the within cause of action arose.

4. Plaintiff was a *bono fide* resident of the state of New Jersey at the time instant cause of action arose and has ever sense and for more than one (1) year next preceding the commencement of this action continued to be such a *bono fide* resident.

5. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.

6. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment,

Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily

pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Third Count-14th Amendment Due Process of Law and Equal Protection

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same a part hereof all as if more fully and particular set forth at length herein.

2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial

Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Fourth Count- Intentional Infliction of Emotional Distress

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof ali as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing

guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges:

- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Fifth Count- Intentional Infliction of Emotional Distress

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment,

Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and

Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Sixth Count- Intentional Infliction of Emotional Distress

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of

Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily

pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Seventh Count- Negligence

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.

2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial

Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Eighth Count- Negligence

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the

Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of

Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;

- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Ninth Count- Negligence

- 1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
- 2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
- 3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the

Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Tenth Count- Racial Discrimination

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of

Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily

pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Eleventh Count- Racial Discrimination

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.

2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial

Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.
9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.
10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.
11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.
12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.
13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Twelfth Count- Racial Discrimination

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing

guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges:

- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Thirteenth Count- Official Misconduct

- 1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
- 2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
- 3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath,

Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official

court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Fourteenth Count- Official Misconduct

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the

Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct,

Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Fifteenth Count- Official Misconduct

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.

2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines

that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.
9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.
10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.
11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.
12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.
13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Sixteenth Count- Breach of Contract and/or Oath

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing

guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges:

- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence;
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Seventeenth Count- Breach of Contract and/or Oath

- 1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
- 2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.
- 3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath,

Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official

court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Eighteenth Count- Breach of Contract and/or Oath

1. Plaintiff hereby alleges each and every allegation continued in the preceding counts and make the same apart hereof all as if more fully and particular set forth at length herein.
2. On or about December 7, 2007 Defendant Judge Heimlich Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to follow the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

3. On or about August 5, 2010 Defendant Joseph Perfillio Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to amend the Plaintiffs Judgment of Conviction contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

4. On or about November 28, 2011 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

5. On or about March 27, 2012 Defendant William A. Daniel Knowingly and Purposefully with malicious intent presided over the Plaintiffs criminal matters in the Union County Superior Court, neglecting and failed to properly amend with all pertinent documentation and forward the Plaintiffs Judgment of Conviction to the New Jersey Department of Corrections, Northern State Prison Classification Department contrarily pursuant to the sentencing guide lines that are established within the New Jersey Court Rules. Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him

longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

6. On or about December 7, 2007, August 5, 2010, November 28, 2011 and March 27, 2012 Defendants Jane Does 1 thru 12 and John Does 1 thru 12 Knowingly and Purposefully with malicious intent neglected to and failed to correct and/or except official court documents (Judgment of Conviction and Order) to recalculate the Plaintiffs sentence, Subjecting the Plaintiff, Marc Bourne to an excessive sentence confining him longer than what is established by law in violation of the Plaintiffs fundamental Constitutional Civil Rights constituting (False Imprisonment, Judicial Misconduct, Official Misconduct, Misrepresentations, Breach of Oath, Intentional Infliction of Emotional Distress, Racial Discrimination and Negligence) in violation of the 14th Amendment Right to Due Process of Law and Equal Protection.

7. Furthermore, the defendants Knowingly and Purposefully with malicious intent neglected the plaintiffs rights to Due Process of Law by not expecting a person of color to know the processes of law, based upon his lack of intuition of the law during the Plaintiffs service of an illegal sentence, false imprisonment at the hands of Union County Superior Court.

8. Defendants conduct detailed in the preceding counts, directed towards the Plaintiff constitutes violations of the New Jersey Civil Rights Act against racial discrimination.

9. Defendants has failed to perform their Fiduciary and Judicial Obligations under Oath in furtherance with their official employment contract holdings with the State of New Jersey and/or in contrary pursuant to upholding the New Jersey and the United States Constitutions and/or Laws governing the State of New Jersey.

10. As a direct a proximate result of the defendants conduct and breach of oath and the aforesaid, Plaintiff has been damaged.

11. Defendants conduct was intended to cause emotion distress/ mental anguish and/or was in deliberate disregard of the highest degree of probability that emotional distress would be caused to the Plaintiff.

12. Defendants conduct detailed was so extreme and outrageous as to go beyond all possible bounds of decency.

13. As a direct and proximate result of the defendants' aforementioned conduct, the Plaintiff has suffered great detriment to his life, loss of personal property and/or loss of liberty, the Plaintiff has been damaged.

Wherefore, plaintiff demands judgment against the defendants as follows:

- a. Compensatory damages in the amount of \$1,000,000.00;
- b. Punitive damages in the amount of \$1,000,000.00;
- c. Injunctive relief compelling the termination of the Defendants Official Positions as Judges;
- d. Injunctive relief compelling an Order to release the Plaintiff from his impending state prison sentence
- e. Counsel fees and cost in the amount of \$100,000.00
- f. Interest; and
- g. Such other relief as the court deem appropriate and just.

Jury Demand

Plaintiff hereby demands trial by jury on all issues on trial R. 1:82-2(b) & 4:35-1(a)

Certification pursuant to Rule 4:5-1

Pursuant to Rule 4:5-1, the undersigned pro-se plaintiff hereby certify that to the best of the undersigned's information, knowledge and belief, the within action is not presently the subject of any other action pending in any court or a pending arbitration proceeding to date, nor is any other action or arbitration proceeding contemplated at this time.

Date: 7/30/2012 By: Mark Elliott

1. I am the plaintiff named in the foregoing complaint. The allegations contained therein are true to the best of my information, knowledge and belief, are made in truth, good faith and without collusion for the cause set forth herein.

2. I hereby certify that the foregoing statements made by me are willfully true. I understand that if any of the foregoing statements made by me are willfully false, I may be subject to punishment by law.

Date: 7/30/2012 By: Mark Elliott